APPENDIX B

CLAIMS PENDING WITH ENTRY OF AMENDMENT

78. (Amended) A method of introducing an isolated polynucleotide into a host cell comprising:

(a) providing an isolated polynucleotide according to claim 81; and

(b) contacting the polynucleotide with the host cell under conditions that permit insertion of the polynucleotide into the host cell.

81. (New) An isolated promoter polynucleotide which specifically initiates transcription in a plant suspensor cell and/or basal region of a plant embryo, the promoter polynucleotide comprising a promoter control element comprising nucleotides -921 to -767 displayed in Figure 2.

82. (New) The isolated promoter polynucleotide of claim 81, wherein the promoter polynucleotide comprises SEQ ID NO:1.

83. (New) The isolated promoter polynucleotide of claim 81, wherein the promoter polynucleotide comprises a heterologous basal promoter sequence.

84. (New) The isolated promoter polynucleotide of claim 1, wherein the heterologous basal promoter comprises a minimal CaMV 35S promoter.

85. (New) An expression cassette comprising the promoter polynucleotide of claim 81 operably linked to a heterologous polynucleotide.

86. (New) The expression cassette of claim 85, wherein the promoter polynucleotide comprises a heterologous basal promoter sequence.

87. (New) The expression cassette of claim 86, wherein the promoter polynucleotide comprises a minimal CaMV 35S promoter.

88. (New) The expression cassette of claim 85, wherein the promoter polynucleotide comprises SEQ ID NO:1.

89. (New) A vector comprising the expression cassette of claim 85.

90. (New) A host cell comprising the expression cassette of claim 85.

91. (New) The host cell of claim 85, wherein the host cell is a plant cell.

92. (New) A plant comprising the expression cassette of claim 85.